

# **Final Listing Determination for Klamath Mountains Province (KMP) Steelhead**

*March 30, 2001*

**Today's Announcement:** The National Marine Fisheries Service announced today that it has made a final decision that Endangered Species Act listing is not warranted for Klamath Mountains Province steelhead. KMP steelhead populations inhabit coastal river basins between the Elk River in Oregon and the Klamath River in California (a map depicting the range of KMP steelhead is available at: <http://WWW.NWR.NOAA.GOV/1salmon/salmesa/maps/stlhkmp.pdf>). The agency's review of KMP steelhead was prompted by a recent court order requiring NMFS to reassess the species' status. After reviewing the best available scientific and commercial information, the agency determined that KMP steelhead are not likely to become endangered in the foreseeable future and, therefore, will not be listed under the ESA.

**Next Steps:** This is a final determination and will not be re-considered unless NMFS accepts a future petition for this species or the agency initiates its own re-assessment based on new information.

## **History of Listing and Court Decisions for KMP Steelhead**

- ! NMFS first proposed to list KMP steelhead as a threatened species in March of 1995, but later determined that listing was not warranted, in March of 1998. At that time, the agency classified KMP steelhead as a candidate species and committed to reassessing its status by 2002.
- ! The agency's 1998 "no-list" decision was based on an extensive species status review by NMFS's steelhead Biological Review Team, as well as a consideration of conservation efforts by NMFS management. While the majority of the BRT believed that KMP steelhead could be considered a threatened species under the ESA, the agency believed that substantial conservation efforts (especially harvest, hatchery, and monitoring actions) reduced risks to a point at which ESA listing was not warranted.
- ! On October 25, 2000, the U.S. District Court for the Northern District of California ruled that NMFS's March 1998 no-list determination was arbitrary and capricious. The court found that the agency had relied too heavily on voluntary and future conservation efforts/benefits and ordered NMFS to re-assess KMP steelhead by March 31, 2001.

## **NMFS's 2001 Re-assessment of KMP Steelhead**

- ! In response to the court's order, NMFS re-proposed listing the KMP steelhead as a threatened species under the ESA on February 12, 2001. In the re-proposal NMFS underscored the need to complete a thorough assessment using the most recent information (since 1998) on the status of KMP steelhead. To this end, the agency held public hearings in California and Oregon and solicited comments from the public and state, tribal, and federal comanagers. NMFS received more than 170 documents containing comments and information during the public comment period, which ended March 5, 2001. Key data sets included:
  - > Updated adult abundance estimates from snorkel, dam, weir, and redd counts, and seining surveys.
  - > Updated and revised estimates of hatchery vs. wild ratios of adult steelhead.

- > New monitoring data using fish traps and snorkel and electrofishing surveys for juvenile steelhead
- > Population viability modelling conducted by the Oregon Department of Fish and Wildlife.
- > Updated information regarding ongoing salmon and steelhead conservation efforts in northern California and Southern Oregon.

! In early March 2001, the NMFS steelhead BRT reconvened to evaluate this new information and the majority concluded that KMP steelhead did not warrant listing under the ESA. The change since 1998 in the BRT's overall risk assessment can primarily be attributed to new information regarding two major factors:

(1) Although solid estimates of overall abundance of KMP steelhead are still not available, new information indicates that the abundance of naturally reproducing fish is probably at least 50,000 adults and may exceed 100,000. Natural production of KMP steelhead may exceed that of any other steelhead population segment considered in the agency's coastwide status review for steelhead.

(2) Current information indicates that the proportion of naturally spawning hatchery fish, at least in Oregon, is much lower than indicated by data available for the initial steelhead status review, and somewhat lower than the revised estimates available at the time of the last assessment. The new information reduced the BRT's concerns for genetic risks associated with artificial propagation and increased confidence that naturally sustaining populations are more widely distributed throughout the range of KMP steelhead than previously thought.

#### **NMFS's Conclusion**

The BRT findings, coupled with the agency's conclusion that existing conservation efforts are collectively benefitting KMP steelhead, form the basis for NMFS's decision that these steelhead do not warrant listing under the ESA at this time.

**Additional Information:** The *Federal Register* notice announcing this determination is expected to be published by April 4, 2001. Get more information on this and other ESA issues by visiting the NMFS Website at [www.nwr.noaa.gov](http://www.nwr.noaa.gov) or by contacting NMFS' Protected Resources Division, 525 NE Oregon St., Suite 500, Portland, OR 97232; or by calling 503-230-5400.